

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director
954-797-1101

SUBJECT: Rezoning (merits)
ZB 1-01-01 AMF Bowling Alley
PETITIONER/OWNER: Crown Castle, Inc. petitioner
AMF Bowling Centers, Inc. owner

REPORT IN BRIEF: The applicant's request is to rezone 3.2 acres of land **from** B-2A, Planned Business District (Old Code) to B-2, Community Business District to allow for the siting of a telecommunications tower upon the site.

Under the Town's old B-2A regulations, a telecommunications tower is not a permitted use, as this type of use was not anticipated in 1980. The current land development code allows for telecommunications facilities in all commercial zoning categories, including the proposed B-2 category. Today's code does not acknowledge old repealed zoning categories, hence the need for this rezoning application.

Under today's code, a special permit application and subsequent Town Council approval is required in addition to site plan approval to allow telecommunication construction. In light of the additional review and approval needed to allow the actual use of a telecommunications tower upon commercial property, the request to rezone the property to a current Town zoning category is in the best interest of the Town to eliminate the use of old zoning codes in development review procedures.

The rezoning request, as presented, is consistent with Town efforts to rezone, where possible, those properties zoned with either an annexed zoning classification or an old Town of Davie zoning classification in order to bring about eventual compliance with current Town regulations and reduce the number of codes governing land use within the Town.

PREVIOUS ACTIONS: Town Council tabled this item to the April 4, 2001 meeting (motion carried 5-0, March 21, 2001).

CONCURRENCES: Planning and Zoning Board recommended denial at its March 28, 2001 meeting (motion carried 5-0).

Planning and Zoning Board tabled this request to the March 28, 2001 meeting (motion carried 5-0, March 14, 2001). Previously the Planning and Zoning Board tabled this request to the March 14, 2001 meeting (motion carried 5-0, February 14, 2001).

FISCAL IMPACT:

Has request been budgeted? yes no

If yes, expected cost: \$

Account Name:

If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

RECOMMENDATION(S): Motion to approve.

Attachment(s): Staff Report, Land Use Map, Subject Site Map, Aerial, Survey

Application #: ZB 1-1-01
Exhibit "A":
Original Report Date: 2/1/01

Revisions:

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: AMF Bowling Centers, Inc.
Address: 8100 AMF Drive
City: Mechanicsville, VA 2311
Phone: 804-730-4487

Agent:

Name: Crown Castle, Inc.
Address: 6413 Congress Ave, #250
City: Boca Raton, FL 33487
Phone: 561-218-1243

BACKGROUND INFORMATION

Notification Date: 2/7/01

Number of Notifications: 86

Application History: Applicant requested tabling from the Planning and Zoning Board meeting, from February 14, 2001 to March 14, 2001 and March 14, 2001 to March 28, 2001. Town Council tabled this item, at the applicant's request, from March 7, 2001 to the April 4, 2001 meeting.

Application Request: To rezone 3.2 acres of land from, B-2A, Planned Business District (Old Code) to: B-2, Community Business District.

Address/Location: 8200 West State Road 84/generally located on the south side of SR 84, 1/2 mile west of University Drive.

Land Use Plan Designation: Commercial

Zoning: B-2A, Planned Business District (Old Code)

Proposed Zoning: B-2, Community Business District

Existing Use: AMF Bowling Alley

Proposed Use: same and proposed telecommunication tower site

Parcel Size: 3.2 acres (139,393 square feet)

Surrounding Land Use:

North: State Road 84
South: Arrowhead Condominiums
East: Lennar Office Building
West: Arrowhead Golf Course and
City Furniture

Future Land Use Designation

Transportation
Residential 10 du/ac
Commercial
Commercial Recreation and
Commercial

Surrounding Zoning:

North: Transportation
South: B-2A, Planned Business District (Old Code)
East: B-2A, Planned Business District (Old Code)
West: B-3, General Business District, (Old Code) and Commercial Recreation
(CR)

ZONING HISTORY

Related History: A site plan for this property, indicating a bowling alley, was approved February 7, 1979.

DEVELOPMENT PLAN DETAILS

The petitioner has filed special permit and site plan applications for the installation of a telecommunications tower and associated accessory structures on the subject site. The current zoning category, B-2A, does not allow the placement of a telecommunications facility upon the site. This use was not anticipated in 1980 when the zoning category was in existence. The exact location and configuration of the proposed telecommunication tower is being finalized as the applicant is meeting with adjacent property owners.

Applicable Codes and Ordinances

Land Development Code Section 12-307, Review for Rezoning.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 4. This planning area is bordered by SR 84 on its north, University Drive on its east, Flamingo Road, and an irregular border on its south that corresponds to Nova Drive and SW 14th Street on the Village of Harmony Lakes development. A portion of the University Drive and SR 84 commercial corridors are included in this area, as are several planned residential communities typically developed at five dwelling units per acre, but in some cases up to ten, including Arrowhead Golf Course and County Club,

Village of Harmony Lakes, Westridge, the Ridgeview Lakes development, Scarborough, Village at Pine Lakes, and the Pine Island Ridge, Park City and Rexmere Village developments, located within an unincorporated area between Nob Hill Road and Pine Island Road.

Broward County Land Use Plan: This property falls within flexibility Zone 99. This request has no affect on Broward County or Town concurrency requirements.

Applicable Goals, Objectives & Policies:

Future Land Use Policy 7-4: “Commercial land uses shall be generally be located with access to primary transportation facilities including interstates, highways and arterials...”

Staff Analysis

Under the Town’s old B-2A regulations, a telecommunications tower is not a permitted use, as this type of use was not anticipated in 1980. The current land development code allows for telecommunications facilities in all commercial zoning categories, including the proposed B-2 category. Today’s code does not acknowledge old repealed zoning categories, hence the need for this rezoning application.

The rezoning request, as presented, is consistent with Town efforts to rezone, where possible, those properties zoned with either an annexed zoning classification or an old Town of Davie zoning classification in order to bring about eventual compliance with current Town regulations and reduce the number of codes governing land use within the Town.

Staff finds that the proposed request is consistent with the Town’s Comprehensive Plan, Future Land Use Policies, and is consistent with existing adjacent and planned uses. The proposed change will not increase traffic above that anticipated under the existing commercial land use plan designation and will not be a deterrent to the improvements of adjacent properties. The requested zoning change to B-2, Neighborhood Commercial is most compatible with the existing intensity of the site, a bowling alley.

Findings of Fact

Section 12-307(A)(1)

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;
- (c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;
- (d) The proposed change will not adversely affect living conditions in the neighborhood;
- (e) The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;
- (f) The proposed change will not adversely affect other property values;
- (g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
- (h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;
- (i) There are not substantial reasons why the property cannot be used in accord with existing zoning.
- (j) The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

Staff Recommendation

Recommendation: Based upon the above and the overall finding of facts in the positive, staff recommends approval of application no. ZB 1-1-01.

Planning and Zoning Board

On a motion made by Vice-Chair Stahl motioned and seconded by Mr. Waitkus, the Planning and Zoning Board recommended denial, by a vote of 5-0, at its March 28, 2001 meeting.

Exhibits

1. Land Use Map
2. Subject Site Map

3. Aerial
4. Survey

Prepared by: _____
Reviewed by: _____

SUBJECT
SITE

N. New Riv

B-2A
(Old Code)

8

CR

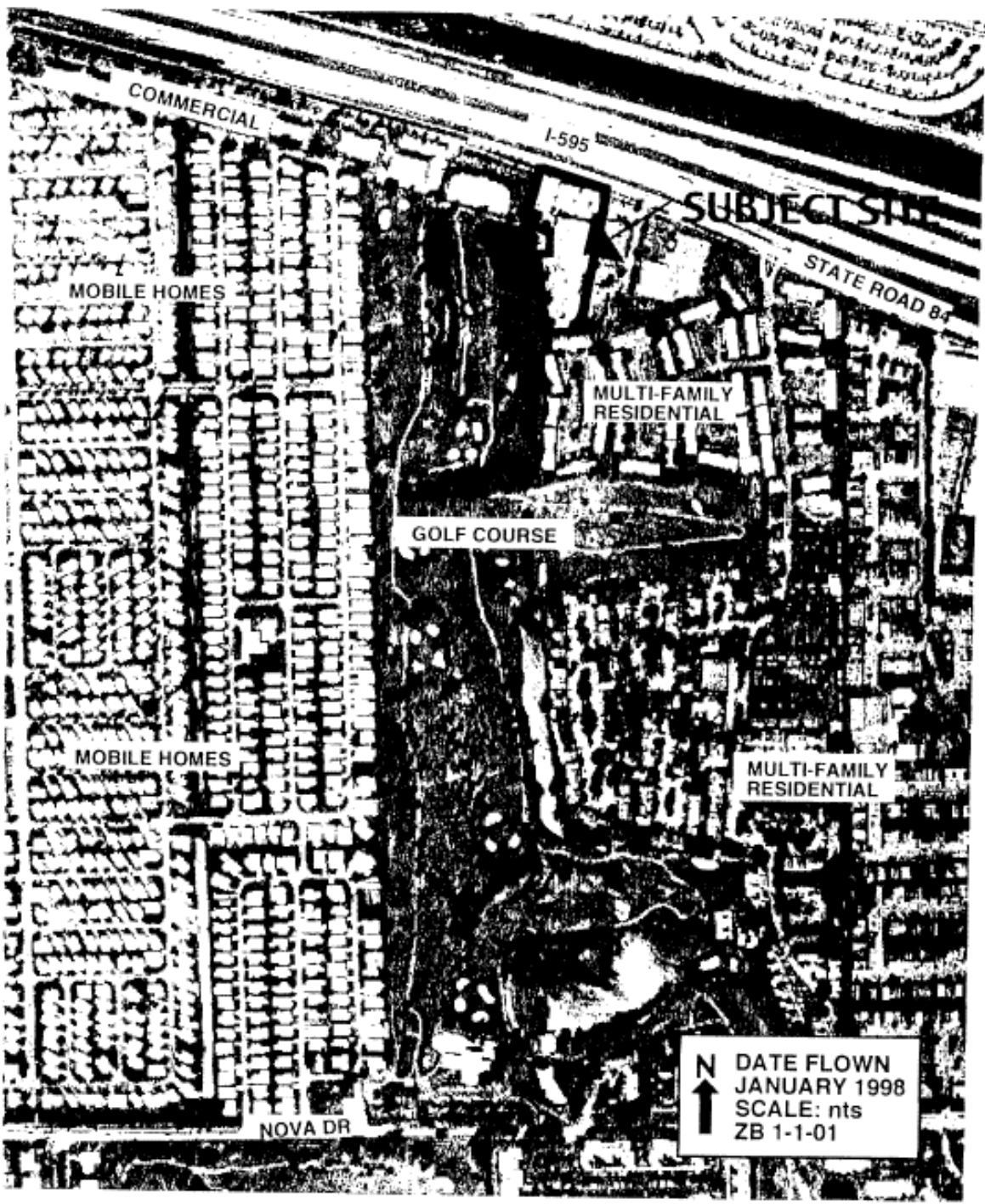
R-4A
(Old Code)

Arrowhead
Golf and Tennis
Club
Phase II (101-31)

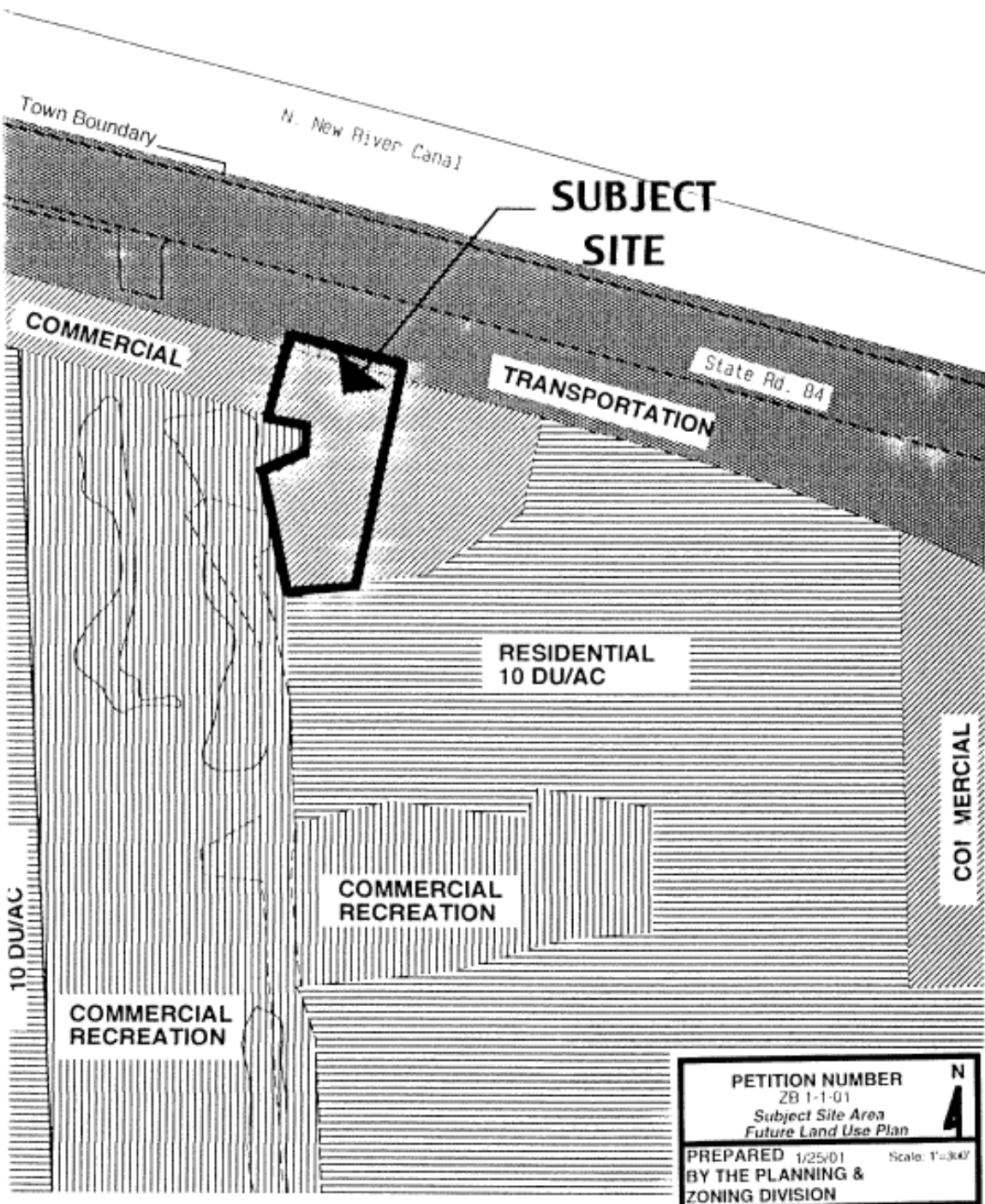
PETITION NUMBER
ZB 1-1-01

Subject Site Area Zoning Map

PREPARED 1/25/01
BY THE PLANNING &
ZONING DIVISION



N
↑
DATE FLOWN
JANUARY 1998
SCALE: nts
ZB 1-1-01



PETITION NUMBER
ZB 1-1-01
Subject Site Area
Future Land Use Plan
PREPARED 1/25/01 BY THE PLANNING & ZONING DIVISION
Scale: 1"=300'
N
4

